#### BUSINESS REPORT

### MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

#### HOUSE TAXATION COMMITTEE

Date: Friday, March 27, 2009	Time:	8:00 am
Date: III day, Ilazon = 1,	<b>5</b>	150
Place: Capitol	Room:	152

#### BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

#### EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 670 DPAA	HB 674 DP	HB 657 - DP	HB 654 - Table
HB 647 - TIE	HB 650 - TIE	HB 652 - TIE	HB 649 - Table
HB 668 - TIE	HB 672 - TIE	HB 651 - TIE	HB 663 - Table
HB 673 - TABLE	HB 666 - Table	HB 312 - DPAA	HB 675 TIE

#### **COMMENTS:**

KEP. Bob Lake, Chairman

DATE: 3-27-09

<u>NAME</u>	PRESENT	ABSENT/ EXCUSED
Bob Lake, Chair	U V	
Jill Cohenour, Vice-Chair	1	
Janna Taylor, Vice Chair		
Dick Barrett		
Mark Blasdel		
Edward Butcher		AAA
Wanda Grinde	1	VAL
Robin Hamilton		
Brian Hoven		
Mike Jopek	0	
Dave McAlpin	û û	
Mike Miller		
Art Noonan		
JP Pomnichowski	11/	
Lee Randall	U.	,a
J. David Roundstone		
Jon Sonju		M
Wayne Stahl	1	h,é
Chas Vincent		
Brady Wiseman		MAN



March 27, 2009 Page 1 of 1

Mr. Speaker:

We, your committee on Taxation recommend that House Bill 312 (first reading copy – white) do pass as amended.

Signed:

Representative Bob Lake, Chair

#### And, that such amendments read:

1. Title, page 1, line 5.

Strike: "INCREASING"
Insert: "REVISING"
Following: "CAP"

Insert: "BASED ON THE MOST RECENT FEDERAL CENSUS"

Following: "FOR"
Insert: "AN AREA OR"
Following: "AS A"

Insert: "RESORT AREA OR"

2. Page 1, line 30.
Strike: "10,000"
Insert: "5,500"

3. Page 2.

Following: line 5

Insert: "NEW SECTION. Section 2. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

- END -

**Committee Vote:** 

Yes 11, No 9

Fiscal Note Required

HB0312001SC.hjd



March 27, 2009 Page 1 of 1

Mr. Speaker:

We, your committee on Taxation recommend that House Bill 657 (first reading copy - white)

do pass.

Signed:

Representative Bob Lake, Chair

- END -

Committee Vote:
Yes 20, No 0
Fiscal Note Required \_\_\_



March 27, 2009 Page 1 of 1

Mr. Speaker:

We, your committee on Taxation recommend that House Bill 674 (first reading copy - white)

do pass.

Signed:

Representative Bob Lake, Chair

- END -

Committee Vote:
Yes 20, No 0
Fiscal Note Required \_\_\_



March 27, 2009 Page 1 of 4

Mr. Speaker:

We, your committee on Taxation recommend that House Bill 670 (first reading copy – white)

do pass as amended.

Signed:

Representative Bob Lake, Chair

#### And, that such amendments read:

1. Title, page 1, line 7.

Following: "PROPERTY;"

Insert: "REQUIRING JOINT APPROVAL OF THE ABATEMENT BY AFFECTED
GOVERNING BODIES;"

2. Page 1, line 19.

Strike: "body"

Insert: "bodies"

Following: "county"

Strike: ","

Insert: "or"

Following: "town,"

Strike: "or"

Insert: "if the property is located in the city or town, and"

Following: "may"
Insert: "jointly"

3. Page 1, line 23.

Following: "operating"

Insert: "the property"

4. Page 1, line 27.

Following: "to the"

Insert: "affected"

Strike: "body"

Insert: "bodies"

#### **Committee Vote:**

Yes 13, No 7

Fiscal Note Required \_\_\_

HB0670001SC.hjd

5. Page 1, line 29. Following: "to the" Insert: "affected" Strike: "body" Insert: "bodies"

6. Page 1, line 30.

Following: "purposes of"
Insert: "[section 3] and"

7. Page 2, line 2 through line 10.

Strike: "(2)(a)(i)" on line 2 through "district." on line 10 Insert: "(2) (a) In order for a taxpayer to receive the tax benefits described in subsection (1), the governing bodies of the affected county or consolidated local government unit, incorporated city or town, if the property is located in the city or town, and school district must have approved by a separate, joint resolution for each commercial or industrial property, following due notice as defined in 76-15-103 and a public hearing, the taxable value reduction provided for in subsection (1) for the respective jurisdictions. The presiding officer of the governing body of the affected county or consolidated local government unit is the presiding officer of the joint meeting of the affected taxing jurisdictions. If the property is located in more than one county, the presiding officer of the governing body of the county in which most of the property is located is the presiding officer of the joint meeting.

(b) For the purpose of this subsection (2), each affected governing body shall provide due notice of the joint meeting."

Renumber: subsequent subsections

8. Page 2, line 11.

Strike: "body"
Insert: "bodies"

9. Page 2, line 12.
Following: "benefits"
Insert: "in the tax year"

10. Page 2, line 13.

Following: "The"
Insert: "joint"

**Strike:** "subsections (2)(a)(i) and (2)(a)(ii)"

Insert: "subsection (2)(a)"

11. Page 2, line 15.
Strike: "jurisdiction"
Insert: "jurisdictions"

Following: "The"
Insert: "joint"

12. Page 2, line 17.

Following: "The"
Insert: "joint"

13. Page 2, line 19. Following: "body."

Insert: "The joint resolution must be approved by a majority vote
 of the governing body of each affected taxing jurisdiction
 referred to in subsection (2)(a)."

14. Page 2, line 20.

Strike: "body"
Insert: "bodies"

Strike: "it determines"
Insert: "they determine"

15. Page 2, line 22.

Strike: "body determines"
Insert: "bodies determine"

16. Page 2, line 23.
Strike: "government"
Insert: "governments"

17. Page 2, line 24. Following: "by the" Insert: "joint"

18. Page 2, line 25.

Strike: "body"
Insert: "bodies"

19. Page 2, line 26.

Strike: "it"
Insert: "they"

20. Page 2, line 28.

Strike: "A" through the first "the"

Insert: "The"

Following: "benefits"

Insert: "may not be granted"

21. Page 2, line 30.

Strike: "county" through "unit"

Insert: "majority vote of the governing body of each affected
 taxing jurisdiction"

22. Page 3, line 1. Following: "in the" Insert: "affected" Following: "unit" Insert: ", the affected incorporated city or town, and the affected school district" 23. Page 3, line 2 through line 5. Strike: subsection (b) through subsection (c) in their entirety Renumber: subsequent subsection 24. Page 3, line 8. Following: "approving the" Insert: "joint" 25. Page 3, line 9. Following: "body" Insert: "of the affected county or consolidated local government Following: "approval" Insert: "by each of the affected governing bodies" 26. Page 3, line 10. Strike: "taxing jurisdiction" Insert: "county or consolidated local government unit" 27. Page 3, line 11. Following: "section" Insert: "for each affected taxing jurisdiction" 28. Page 3, line 18. Following: "recapture by" Strike: "the" Insert: "each" 29. Page 3, line 19. Following: "or the" Insert: "joint" **Strike:** "2(2)(a)(i) or (2)(a)(ii)" Insert: "2(2)(a)"

30. Page 3, line 26.

Strike: "the"
Insert: "a"

### **COMMITTEE FILE COPY**

### **TABLED BILL**

The HOUSE TAXATION COMMITTEE TABLED HB 649, HB 654, HB 663, HB 666, HB 673, by motion, on Friday, March, 27, 2009.

			4418441-7777
(For the Committee)		(Chief Clerk of	the House)
		(Time)	(Date)
April 2, 2009	Jennifer O'Loughlin, Secretary	Phon	e: 444-4745

DATE	3-27-09	BILL NO 3	MO'	TION NO.		
MOTION:_	D F ( for					
	do pass	as ame	inded.			
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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair			
Rep. Janna Taylor, Vice Chair		1	
Rep. Dick Barrett	2		
Rep. Mark Blasdel		2	
Rep. Ed Butcher		3	
Rep. Wanda Grinde	3		
Rep. Robin Hamilton	4		
Rep. Brian Hoven		4	
Rep. Mike Jopek	5		
Rep. Dave McAlpin	6		
Rep. Mike Miller		5	×
Rep. Art Noonan	1,		
Rep. JP Pomnichowski	8		
Rep. Lee Randall		6	
Rep. J. David Roundstone	a		
Rep. Jon Sonju	10		
Rep. Wayne Stahl		47	
Rep. Chas Vincent		138	
Rep. Brady Wiseman			
Chairman Bob Lake		9	

DATE	3-2	(-09 I	BILL NO	5 647	МОТ	ION NO		
MOTION:	<u>40 I</u>	tuss o	<u> </u>	rmend	L			
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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair	N		
Rep. Janna Taylor, Vice Chair			
Rep. Dick Barrett	2		
Rep. Mark Blasdel		2	
Rep. Ed Butcher		<b>9</b>	
Rep. Wanda Grinde	3		
Rep. Robin Hamilton	4		
Rep. Brian Hoven		4	
Rep. Mike Jopek	5		X
Rep. Dave McAlpin	6		
Rep. Mike Miller		5	X
Rep. Art Noonan			
Rep. JP Pomnichowski	8		X
Rep. Lee Randall		6	
Rep. J. David Roundstone	્		
Rep. Jon Sonju		7	
Rep. Wayne Stahl		8	
Rep. Chas Vincent		Ο	
Rep. Brady Wiseman	10		
Chairman Bob Lake		10	

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DATE 3-27-69 BILL NO 649 MOT	ION NO.
MOTION: W	
do Pass as amended	

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair			
Rep. Janna Taylor, Vice Chair			
Rep. Dick Barrett		2	
Rep. Mark Blasdel		3	
Rep. Ed Butcher		4	
Rep. Wanda Grinde		5	
Rep. Robin Hamilton		6	
Rep. Brian Hoven		7	
Rep. Mike Jopek	2	•	
Rep. Dave McAlpin	.3		
Rep. Mike Miller		8	×
Rep. Art Noonan	4		
Rep. JP Pomnichowski	5		X
Rep. Lee Randall	*	9	
Rep. J. David Roundstone	6		
Rep. Jon Sonju		10	
Rep. Wayne Stahl		N	*
Rep. Chas Vincent		12	
Rep. Brady Wiseman	7		
Chairman Bob Lake		13	

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### HOUSE OF REPRESENTATIVES Roll Call Vote TAXATION COMMITTEE

DATE 3-2709 BILL NO 650 MOTION NO.

MOTION: DRAFF

do pass as a weeded

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair	<b>\</b>		
Rep. Janna Taylor, Vice Chair		1	
Rep. Dick Barrett	a		
Rep. Mark Blasdel		2	
Rep. Ed Butcher		3	
Rep. Wanda Grinde	3	*	
Rep. Robin Hamilton	4		
Rep. Brian Hoven		4	
Rep. Mike Jopek	5		*
Rep. Dave McAlpin	6		
Rep. Mike Miller		5	×
Rep. Art Noonan	7		
Rep. JP Pomnichowski	8		
Rep. Lee Randall		6	
Rep. J. David Roundstone	9		
Rep. Jon Sonju		7	
Rep. Wayne Stahl		8	*
Rep. Chas Vincent		Q	*
Rep. Brady Wiseman	<b>V</b> O		
Chairman Bob Lake		10	

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## HOUSE OF REPRESENTATIVES Roll Call Vote TAXATION COMMITTEE

DATE	3-27-09 BILL NO (65) MOTION NO.	
MOTION:	7060	
	do pass as amended	

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair			
Rep. Janna Taylor, Vice Chair		1	
Rep. Dick Barrett	<b>a</b>		
Rep. Mark Blasdel		<b>a</b>	
Rep. Ed Butcher		3	
Rep. Wanda Grinde	3		
Rep. Robin Hamilton	4		
Rep. Brian Hoven		4	
Rep. Mike Jopek	5		
Rep. Dave McAlpin	6		
Rep. Mike Miller		5	*
Rep. Art Noonan	7		
Rep. JP Pomnichowski	¥		
Rep. Lee Randall		b	
Rep. J. David Roundstone	Q		
Rep. Jon Sonju		7	
Rep. Wayne Stahl		8	
Rep. Chas Vincent		9	
Rep. Brady Wiseman	10		
Chairman Bob Lake	202	10	

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## HOUSE OF REPRESENTATIVES Roll Call Vote TAXATION COMMITTEE

DATE 3-27-09 BILL NO	653 MOTION NO.
MOTION:	
do pass	

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair	\	·	
Rep. Janna Taylor, Vice Chair		1	
Rep. Dick Barrett	a		
Rep. Mark Blasdel		3	
Rep. Ed Butcher		3	
Rep. Wanda Grinde	3		
Rep. Robin Hamilton	4		
Rep. Brian Hoven		H	
Rep. Mike Jopek	16		*
Rep. Dave McAlpin	6		
Rep. Mike Miller		3	X
Rep. Art Noonan	7		
Rep. JP Pomnichowski	8		*
Rep. Lee Randall		6	
Rep. J. David Roundstone	a		
Rep. Jon Sonju		7	
Rep. Wayne Stahl		8	*
Rep. Chas Vincent		9	*
Rep. Brady Wiseman	10		
Chairman Bob Lake		NO	

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DATE_ 3-2	27-69 BIL	LNO 654	MOTIC	N NO.		
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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair			
Rep. Janna Taylor, Vice Chair			
Rep. Dick Barrett		2	
Rep. Mark Blasdel	2		
Rep. Ed Butcher	.3		
Rep. Wanda Grinde		3	
Rep. Robin Hamilton		4	
Rep. Brian Hoven		5	
Rep. Mike Jopek		6	
Rep. Dave McAlpin		7	
Rep. Mike Miller	4		<b>X</b>
Rep. Art Noonan		8	
Rep. JP Pomnichowski		9	X
Rep. Lee Randall	5		
Rep. J. David Roundstone		10	
Rep. Jon Sonju	la		X
Rep. Wayne Stahl	7		
Rep. Chas Vincent	B		
Rep. Brady Wiseman		ri.	
Chairman Bob Lake	Q		

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### HOUSE OF REPRESENTATIVES Roll Call Vote TAXATION COMMITTEE

DATE_	3-	- <sub>-</sub> 2`	7-09	BILL NO	668	MOTION NO.	
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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair	1		
Rep. Janna Taylor, Vice Chair		1	
Rep. Dick Barrett	2		
Rep. Mark Blasdel		<b>a</b>	
Rep. Ed Butcher		<u>3</u> 3	
Rep. Wanda Grinde	3		
Rep. Robin Hamilton	4		
Rep. Brian Hoven		4	
Rep. Mike Jopek	5		
Rep. Dave McAlpin	6		
Rep. Mike Miller		5	*
Rep. Art Noonan	7		
Rep. JP Pomnichowski	8		*
Rep. Lee Randall		6	
Rep. J. David Roundstone	a		
Rep. Jon Sonju		7.	
Rep. Wayne Stahl		8	4
Rep. Chas Vincent		9	
Rep. Brady Wiseman	10		
Chairman Bob Lake	0.969	10	

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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair	1		
Rep. Janna Taylor, Vice Chair	2		
Rep. Dick Barrett		M	
Rep. Mark Blasdel	3		
Rep. Ed Butcher	4		
Rep. Wanda Grinde		ð	
Rep. Robin Hamilton		3	
Rep. Brian Hoven	5		
Rep. Mike Jopek		4	
Rep. Dave McAlpin	6		
Rep. Mike Miller	7		*
Rep. Art Noonan	8		
Rep. JP Pomnichowski		5	*
Rep. Lee Randall	(A)		
Rep. J. David Roundstone		6	
Rep. Jon Sonju	10		
Rep. Wayne Stahl	13		
Rep. Chas Vincent	19		
Rep. Brady Wiseman		7	
Chairman Bob Lake	13		

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HB 672

DATE_	<u> 3</u> -	27-09	BILL NO	672	MOTION NO.			
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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair		\	
Rep. Janna Taylor, Vice Chair	\		
Rep. Dick Barrett		2	
Rep. Mark Blasdel	9		
Rep. Ed Butcher	3		
Rep. Wanda Grinde		3	
Rep. Robin Hamilton		4	
Rep. Brian Hoven		5	
Rep. Mike Jopek	4		
Rep. Dave McAlpin		60	
Rep. Mike Miller	5		- Jan
Rep. Art Noonan		7	
Rep. JP Pomnichowski		8	X
Rep. Lee Randall	6		
Rep. J. David Roundstone	7		
Rep. Jon Sonju	8		
Rep. Wayne Stahl	9		<b>X</b>
Rep. Chas Vincent		9	
Rep. Brady Wiseman		110	
Chairman Bob Lake	10		

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## HOUSE OF REPRESENTATIVES Roll Call Vote TAXATION COMMITTEE

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NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Jill Cohenour, Vice Chair	Ì		
Rep. Janna Taylor, Vice Chair		(	
Rep. Dick Barrett	a		
Rep. Mark Blasdel		a	
Rep. Ed Butcher		3	
Rep. Wanda Grinde	3		
Rep. Robin Hamilton	H		
Rep. Brian Hoven		4	
Rep. Mike Jopek	5		
Rep. Dave McAlpin	6		
Rep. Mike Miller		5	X
Rep. Art Noonan	7		
Rep. JP Pomnichowski	8		
Rep. Lee Randall		6	
Rep. J. David Roundstone	a		÷
Rep. Jon Sonju		7	
Rep. Wayne Stahl	· .	8	
Rep. Chas Vincent		9	
Rep. Brady Wiseman	10		
Chairman Bob Lake		10	

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I request to be excused from t	he	To	9/				
Committee because of other c	ommitn	nents.	desire	to leave my prox	y vote with:		
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Indicate Bill number and your number under the bill and ind	vote A	ye or N eparate	o. If the vote for	ere are amendme or each amendme	ents, list then ent.	by name	e and
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I request to be excused from t	he	1	HX				
Committee because of other control	ommitm	nents.	I desire	to leave my proxy vot	e with:		
Indicate Bill number and your number under the bill and indi	vote Ay	ye or N eparate	o. If the vote for	ere are amendments, la or each amendment.	ist them	by nam	e and
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Committee because of other c	ommitn				roxy vot	e with:		
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Rep. Nandas	Gre	nd	W.	·	Date_	3/3	97/C	) <del>9</del>
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Committee because of other co	ommitm	nents. I	desire t	to leave my proxy	vote with:		
Vice Chair							
Indicate Bill number and your number under the bill and indi	vote Ay	ye or No eparate	o. If the	ere are amendment r each amendment	s, list them	by name	e and
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Committee because of other of	commitm	nents. I	desire	to leave my proxy vot	e with:		
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Indicate Bill number and you number under the bill and ind	r vote A	ye or Neparate	o. If the vote for	nere are amendments, l or each amendment.	ist them	by nam	e and
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I request to be excused from	the		TAY			
Committee because of other of	commit	nents.	I desire	to leave my proxy vote with	1:	
- Jay	lor					
Indicate Bill number and your number under the bill and ind	vote A	ye or N separate	lo. If the vote for	ere are amendments, list the or each amendment.	m by nam	e and
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ommittee because of othe	er commitm	ents. I d	lesire to	eave my	proxy vo	te with:		
dicate Bill number and you mber under the bill and it	our vote Ay ndicate a se	e or No. eparate v	If there ote for e	are amer	ndments, l ndment.	ist them	by nam	e and
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